

Amendments to House Bill No. 190  
3rd Reading Copy

Requested by Senator Joe Balyeat

For the Senate Fish and Game Committee

Prepared by Hope Stockwell  
March 24, 2009 (1:38pm)

1. Page 2, line 14.

**Following:** line 13**Insert:** "NEW SECTION. Section 1. Purpose -- intent. (1) The purpose of 7-14-2134(4) and [sections 1, 3, and 4] is to codify the current interpretation of access to streams and rivers by using a county bridge, its right-of-way, and its abutments.

(2) The provisions of 7-14-2134(4) and [sections 1, 3, and 4]:

(a) are not intended to expand the rights of recreationists or to diminish the rights of landowners; and

(b) do not expand or diminish rights-of-way existing on [the effective date of this act], including prescriptive rights-of-way pursuant to 23-2-322.

(4) By enacting 7-14-2134(4) and [sections 1, 3, and 4], the legislature intends to maintain the delicate balance that is necessary to provide recreationists with access to public resources while protecting private property rights. The legislature recognizes that 7-14-2134(4) and [sections 1, 3, and 4] are intended to be a compromise solution to implementing stream access by means of bridges. Therefore, future attempts to broaden this statutory compromise should be resisted."

**Renumber:** subsequent sections

2. Page 2, line 17.

**Strike:** "2 and"**Following:** "3"**Insert:** "and 4"

3. Page 2, line 27.

**Strike:** "3"**Insert:** "4"

4. Page 3, line 8.

**Strike:** "2"**Insert:** "3"

5. Page 4, line 3.

**Strike:** "2 and"**Insert:** "1,"**Following:** "3"

**Insert:** ", and 4"

6. Page 4, line 5.

**Strike:** "2 and"

**Insert:** "1,"

**Following:** "3"

**Insert:** ", and 4"

- END -